

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Melinda Serin, Judson Russ, Long Soui Lim, Peri Kettler,  
Gordon Redner, and Thomas J. Smith,

Plaintiffs,

vs.

Northern Leasing Systems, Inc., Jay Cohen, Rich Hahn,  
and Sara Krieger

Defendants

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Docket No.  
06-CV-1625 (JSG)

**Declaration of Brian L. Bromberg**

Brian Bromberg, an attorney duly admitted to the Bar in New York and elsewhere, declares under 28 U.S.C. §1746 that the following is true and correct:

1. I am a member in good standing of the bars of New York (admitted March 4, 1992) and California (admitted July 17, 2006).

2. I am also admitted to the bar of many federal courts, including the United States District Court for the Southern District of New York, and am in good standing with all these courts.

3. From 1991 until October 2001, I was employed by the law office of Peter Marc Stern in New York, New York.

4. In October 2001, I started my own practice, Bromberg Law Office, P.C., f/k/a Brian L. Bromberg, P.C., concentrating in the field of consumer protection law.

5. In 1987, I was graduated from Oberlin College with a B.A. in Philosophy.

6. In 1991, I was graduated from Brooklyn Law School with a J.D.

**Background and Qualifications**

7. From 1991 until October 2001, I was employed by the law office of Peter Marc Stern in New York, New York.

8. In October 2001, I started my own practice, Bromberg Law Office, P.C., f/k/a Brian L. Bromberg, P.C., concentrating in the field of consumer protection law.

9. I have experience in the fields of commercial litigation, bankruptcy, real estate, landlord/tenant law, trusts and estates, and criminal law.

10. I now focus my practice on representation of consumers in consumer rights litigation and class actions.

11. I am a member of the following professional organizations:

Federal Bar Council  
National Association of Consumer Advocates  
New York State Bar Association  
Association of Small Claims Court Arbitrators  
Association of the Bar of the City of New York  
National Employment Lawyers Association

12. I am the principal author of an *amicus curiae* brief filed on behalf of AARP and the National Association of Consumer Advocates in the case of *Naposki v. The First National Bank of Atlanta d/b/a Wachovia Bank Card Services, and Wachovia Corporation*, New York Supreme Court, Appellate Division, Second Department, Appellate Case No. 2002-02506.

13. On behalf of the National Association of Consumer Advocates, I also helped prepare an *amicus curaie* brief submitted (on October 6, 2006) to the New York Court of Appeals by NACA and twelve other non-profit legal services and

public interest organizations, in the case entitled *Merscorp, Inc. v. Romaine*. I have assisted in the preparation of other *amicus* briefs that affect consumers' rights.

14. I am experienced in trial and appellate court litigation and have the following reported cases, among others:

*Follman v. World Financial Network National Bank*, \_\_ F.Supp.2d \_\_\_,  
2010 WL 4163039 (E.D.N.Y. Oct. 21, 2010)

*Taub v. Big M, Inc.*, 719 F.Supp.2d 325 (S.D.N.Y. 2010)

*Lemire v. Wolpoff & Abramson, LLP*, 2010 WL 1444581 (D.Conn. April  
9, 2010)

*Tobey v. National Action Financial Services, Inc.*, 2009 WL 3734320  
(E.D.N.Y. Nov. 4, 2009)

*Miller v. Upton, Cohen & Slamowitz*, 579 F.Supp.2d 189 (E.D.N.Y. Oct.  
5, 2009)

*Lemire v. Wolpoff & Abramson, LLP*, 256 F.R.D. 321 (D.Conn. 2009)

*Larsen v. JBC Legal Group, P.C.*, 588 F.Supp.2d 360 (E.D.N.Y. 2008)

*Larsen v. JBC Legal Group, P.C.*, 533 F.Supp.2d 290 (E.D.N.Y. 2008)

*Santoro v. Aargon Agency, Inc.*, 252 F.R.D. 675 (D.Nev. 2008)

*Francis v. A & E Stores, Inc.*, 2008 WL 46129858 (S.D.N.Y. Oct. 16,  
2008) (adopting report and recommendation, as modified), and  
2008 WL 2588851 (S.D.N.Y. June 26, 2008) (report and  
recommendation)

*Bowens v. Atlantic Maintenance Corp.*, 2008 WL 704319 (E.D.N.Y.  
March 14, 2008)

*Simon v. Williams & Fudge, Inc.*, 2008 WL 268294 (S.D.N.Y. Jan. 28,  
2008)

*Ingram v. Coach USA, Inc.*, 2008 WL 281224 (D.N.J. Jan. 28, 2008)

*Henry v. Westchester Foreign Autos, Inc.*, 522 F.Supp.2d 610 (S.D.N.Y.  
2007)

*Meselson v. Lerman*, 485 F.Supp.2d 215 (E.D.N.Y. 2007)

*Ayzelman v. Statewide Credit Services Corp.*, 242 F.R.D. 23 (E.D.N.Y. 2007)

*Ayzelman v. Statewide Credit Services Corp.*, 2006 WL 3388651 (E.D.N.Y. Nov. 21, 2006)

*Bourlas v. Davis Law Associates*, 237 F.R.D. 345 (E.D.N.Y. 2006)

*Trevino v. ACB American, Inc.*, 2006 WL 391797 (N.D.Cal. Feb. 17, 2006)

*Trevino v. ACB American, Inc.*, 232 F.R.D. 612 (N.D.Cal. 2006)

*Lawrence v. Borah, Goldstein, Altschuler, Schwartz & Nahins, P.C.*, 2005 WL 2875383 (S.D.N.Y. Nov. 1, 2005)

*Naposki v. First Nat. Bank of Atlanta*, 18 A.D.3d 834, 797 N.Y.S.2d 99 (2d Dept. 2005)

*Burns v. First American Bank*, 2005 WL 1126904 (N.D.Ill. April 28, 2005)

*Weniger v. Arrow Financial Services, LLC*, 2004 WL 2980646 (N.D.Ill. Dec. 21, 2004)

*Weniger v. Arrow Financial Services, LLC*, 2004 WL 2609192 (N.D.Ill. Nov. 17, 2004)

*Jacobs v. ABN-Amro Bank N.V.*, 2004 WL 869557 (E.D.N.Y. April 21, 2004)

*Bracken v. Harris & Zide, L.L.P.*, 219 F.R.D. 481 (N.D.Cal. 2004)

*McDowall v. Leschack & Grodensky, P.C.*, 279 F.Supp.2d 197 (S.D.N.Y. 2003)

*McDowall v. Cogan*, 216 F.R.D. 46 (E.D.N.Y. 2003)

*Miller v. Wolpoff & Abramson, LLP*, 471 F.Supp.2d 243 (E.D.N.Y. 2007)

*Miller v. Wolpoff & Abramson, LLP*, 321 F.3d 292 (2d Cir. 2003)

*Trang v. HSBC Mortgage Corp.*, NYLJ, April 17, 2002, p. 28, col. 3

*Mailloux v. Arrow Financial Services, LLC*, 204 F.R.D. 38 (E.D.N.Y. 2001)

*Mailloux v. Arrow Financial Services, LLC*, 2002 WL 246771 (E.D.N.Y. 2002)

15. I am also experienced in consumer fraud class action litigation and have participated in the following filed cases, among others:

*Ayzelman v. Statewide Credit Services Corp.*, EDNY, Case No. 04-CV-3732 (statewide New York FDCPA settlement class certification of 624 members; settlement approved)

*Beaubrun v. Eric Streich, P.C.*, EDNY, Case No. 06-CV-6598 (statewide New York FDCPA settlement class certification of 1,572 members; settlement approved)

*Bourlas v. Davis Law Associates*, EDNY, Case No. 05-CV-4548 (statewide New York FDCPA settlement class certification of 2,834 members; settlement approved)

*Bracken v. Harris & Zide, L.L.P.*, N.D.Cal., Case No. C 02-5146 (statewide California FDCPA settlement class certification of 3,534 members; settlement approved)

*Cinelli v. MCS Claim Services, Inc.*, EDNY, Case No. 04-CV-3809 (statewide New York FDCPA settlement class certification of 2,112 members; settlement approved)

*DePrisco v. MCS Claim Services, Inc.*, EDNY, Case No. 03-CV-1642 (statewide New York FDCPA settlement class certification of 5,471 members; settlement approved)

*Frank v. Sontag & Hyman, P.C.*, EDNY, Case No. 03-CV-6031 (statewide New York FDCPA settlement class certification of 4,809 members; settlement approved)

*Jacobs v. Law Offices of Mitchell N. Kay*, EDNY, Case No. 02-CV-1062 (nationwide FDCPA settlement class certification of 97 members; settlement approved)

*Lawrence v. Borah, Goldstein, Altschuler, Schwartz & Nahins, P.C.*, SDNY, Case No. 04-CV-3066(JCF)(statewide New York FDCPA

settlement class certification of 7,150 members; settlement approved)

*Lewis v. Northeast Credit & Collections, Inc.*, SDNY, Case No. 07-CV-11593(SCR) ((statewide New York FDCPA class action certified through motion, class of over 6,000 members; settlement approved)

*Mailloux v. Arrow Financial Services*, EDNY, Case No. 01-CV-2000 (statewide New York FDCPA settlement class certification of 554 members; settlement approved)

*McDowall v. Cogan*, EDNY, Case No. 03-CV-419 (statewide New York FDCPA settlement class certification of 593 members; settlement approved)

*Meselson v. Lerman*, EDNY, Case No. 06-CV-4115 (statewide New York FDCPA settlement class certification of 2,384 members; settlement approved)

*Miller v. Berks Credit & Collections, Inc.*, EDNY, Case No. 02-CV-3633 (statewide New York FDCPA settlement class certification of 2,354 members; settlement approved)

*Mitchell v. Surpas Resource Corporation*, SDNY, 01-CV-7230-WP (state-wide New York FDCPA settlement class certification of over 6,000 members; settlement approved)

*Napoleon v. Pugh*, N.D.Cal., Case No. C 02-5149 (statewide California FDCPA settlement class certification of 9,278 members; settlement approved)

*Richman v. Carol Wright Promotions, Inc.*, Supreme Court, Queens County, Index No. 26824/02 (nationwide consumer fraud settlement class certification of approximately 5 million members; settlement approved)

*Santoro v. Aargon Agency, Inc.*, D.Nev., Case No. 07-cv-1003 (statewide Nevada FDCPA class certified through motion; class of approximately 10,000 members)

*Schwartz v. GE Capital Consumer Card Co.*, EDNY, Case No. 06-CV-394 (nationwide TILA settlement class certification of 237,748 members; settlement approved)

*Tidwell v. Asset Recovery Solutions, LLC*, EDNY, Case No. 09-cv-4022 (statewide New York FDCPA settlement class certification of 513 members; settlement approved)

*Tinsley v. Kay*, EDNY, Case No. 04-CV-2253 (statewide New York FDCPA settlement class certification of 53,907 members; settlement approved)

*Trang v. HSBC Mortgage Corp.*, Supreme Court, Queens County, Index No. 21810/01 (violations of NYS General Business Law § 349 & Real Property Law § 274-a; statewide New York settlement class certification of over 14,000 members; settlement approved)

16. In addition, I was on the National Association of Consumer Advocates Class Action Guidelines Revision Committee. The Committee recently finished revising the 1997 NACA Guidelines for Litigating and Settling Consumer Class Actions, 176 F.R.D. 375 (1998). The revised Guidelines, Nat'l Ass'n of Consumer Advocates, *Standards and Guidelines for Litigating and Settling Consumer Class Actions* (rev. 2006), have been adopted and published at 255 F.R.D. 215 (2d ed. 2006).

17. From 2007-2009, I served on the Consumer Affairs Committee of the Association of the Bar of the City of New York. At the Chair's request, I continue to serve on the committee in an adjunct capacity.

18. In addition, I now serve on the Civil Courts Committee of the Association of the Bar of the City of New York.

19. I have spoken to the public about consumer-protection issues and lobbied Congress concerning consumer-protection issues, and spoken at a press

conference in support of a bill introduced in Congress to provide consumers with more information and give them greater protection when they use credit cards.

20. I have testified concerning debt-collection abuse before the New York City Department of Consumer Affairs and the New York State General Assembly Committee on Consumer Affairs and Protection.

21. I lectured at the National Consumer Law Center (“NCLC”) Annual Litigation Conference in November 2006, the NCLC Class Action Symposium in November 2007, and at NCLC and National Association of Consumer Advocates conferences in March 2007, September 2007, March 2008, May 2008, February 2009, March 2010, and November 2010. I have also spoken on consumer-law issues at the Association of the Bar of the City of New York, the New York County Lawyers Association, and the Suffolk County Bar Association.

22. In December 2009, I participated in a Federal Trade Commission Debt Collection Roundtable.

23. In February 2010, MFY Legal Services, Inc. honored me for my work on consumer rights with a Partner in Justice Award “In recognition of exemplary pro bono service and commitment to ensuring equal access to justice for all.”

24. I have my offices in Manhattan, and as set forth above, I regularly handle litigate in federal court.

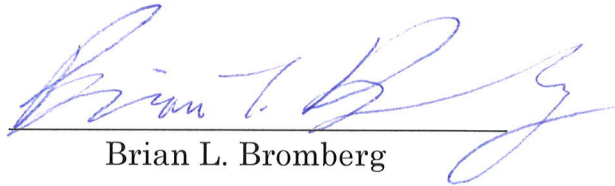
25. Accordingly, I am familiar with the billing rates and practices of attorneys handling complex federal cases in the Southern District of New York.



26. I am also familiar with the work and reputation of Seth Lesser as well as Krishnan Chittur. Both of them have over twenty years of experience handling complex litigation in federal courts. Both are highly skilled, seasoned, and successful attorneys based in New York

27. Based on my experience and knowledge of attorney billing in Manhattan, I believe that the \$625 an hour billed by Mr. Chittur and the \$660 an hour billed by Mr. Lesser are both at the lower end of the range of prevailing rates for attorneys of comparable standing.

Dated: New York, New York  
December 29, 2010

  
Brian L. Bromberg